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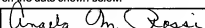
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|  | TRANSMITTAL FORM | |
| | Application Number | 10/679,158 |
| | Filing Date | October 3, 2003 |
| | First Named Inventor | Thomas Russell |
| | Art Unit | 3733 |
| Examiner Name | | Davis, Daniel J. |
| Attorney Docket Number | | 50642/287729 |
| Total Number of Pages in This Submission | | |

| ENCLOSURES (check all that apply) | | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08/ (01 sheet) 01 Publication | |
| <table border="1"> <tr> <td>Remarks</td> </tr> </table> | | | Remarks |
| Remarks | | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
| Firm | Kilpatrick Stockton, LLP | | |
| Signature |  | | |
| Printed Name | Michael A. Bertelson | | |
| Date | Jan. 19, 2007 | Reg. No. 54,713 | |

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| Signature |  |
| Typed or printed name | Angela M. Rossi |
| Date | 1/19/07 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.R./

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: RUSSELL, et al.

SERIAL NO.: 10/679,158

Group Art Unit: 3733

FILED: October 3, 2003

Examiner: DAVIS, Daniel J.

FOR: SURGICAL POSITIONERS

Attorney Docket No.: 50642/287729

Date: January 19, 2007

Mail Stop Amendment
Commissioner for Patents
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the enclosed Form PTO/SB/08a are cited for consideration by the Examiner. Copies of the cited non-U.S. publications are enclosed.

Submission of the references provided in this Supplemental Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

U.S. Serial No. 10/679,158

Filed: October 3, 2003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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This Supplemental Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before the mailing date of an office action on the merits. Applicants believe that no fee is due for consideration of this paper. However, if a fee is due, the Commissioner is authorized to charge any fee due to Deposit Account No. 11-0855.

Respectfully submitted,



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

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|------------------------|-------------------|
| Application Number | 10/679,158 |
| Filing Date | October 31, 2003 |
| First Named Inventor | Thomas A. RUSSELL |
| Art Unit | 3733 |
| Examiner Name | |
| Attorney Docket Number | 50642/287729 |

U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Document Number Number - Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|------------------------|--------------------------|---|--------------------------------|--|---|
| /B.R./ | | US-6,718,194 | 04-2004 | Kienzle | |
| /B.R./ | | US-2006/0161051 A1 | 07-20-2006 | Temli-Grisoni, et al. | |
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NON-U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | ⁶ |
|------------------------|--------------------------|--|-----------------------------------|---|--|--------------|
| /B.R./ | | WO 2006/078236 A1 | 07-27-2006 | Smith & Nephew, Inc. | | |
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| Examiner Signature | /Baisakhi Roy/ | Date Considered | 08/02/2009 |
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